

illegality in the proceedings and the remedies provided for in this act shall exclude all other remedies.

SEC. 48. Additional to statutes. The provisions of this act shall be construed as additional to chapter two (2) title ten (X) of the code and supplement, relating to the location, establishment and construction of levees, drains, ditches and water courses and shall not be held to repeal any of such provisions.

SEC. 49. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved April 29, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, May 3, 1904.

W. B. MARTIN,
Secretary of State.

CHAPTER 69.

PUMPING STATIONS IN LEVEE DISTRICTS.

H. F. 480.

AN ACT to establish and maintain pumping stations or plants in levee districts of the state, presenting the method of so doing. Additional to title ten (X) chapter two (2) of the code and code supplement.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Pumping stations. The board of supervisors of any county or counties in the state in which a drainage district has been or may hereafter be organized in the manner provided in chapter two (2) of title ten (10) of the code may provide for the establishment and maintenance of a pumping station when and where the same shall be necessary to secure a proper outlet for the lands comprising the district, and the costs of construction and maintenance of such pumping station or plant shall be levied upon and collected from the lands in the drainage district in the same manner as provided for the construction and maintenance of ditches as provided in title ten (10) chapter two (2) of the code, and code supplement—except the petition referred to shall require the signature[s] of fifty (50) per cent. of the land owners of such district.

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved April 13, A. D. 1904.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital April 15, 1904, and the Register and Leader April 16, 1904.

W. B. MARTIN,
Secretary of State.

CHAPTER 70.

DRAINAGE OF SURFACE WATERS.

S. F. 239.

AN ACT to define the rights of owners and proprietors of land in respect to surface waters. [Additional to chapter two (2) of title ten (X) of the code, relating to levees, drains, ditches and water courses.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Owners may drain. Owners of land may drain the same in the general course of natural drainage, by constructing open or covered

drains, discharging the same into any natural water course, or into any natural depression, whereby the water will be carried into some natural water course, and when such drainage is wholly upon the owner's land he shall not be liable in damages therefor to any person or persons or corporation. Nothing in this act shall, in any manner, be construed to affect the rights or liabilities of proprietors in respect to running waters or streams.

Approved April 29, A. D. 1904.

CHAPTER 71.

CONDEMNATION OF REAL PROPERTY FOR USE OF STATE.

S. F. 829.

AN ACT providing for the condemnation of real property for the use of the state. [Amendatory of chapter (4) of title ten (X) of the code, relative to the taking of private property.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Additional grounds for buildings. Whenever, in the opinion of the executive council of the state, public interest requires the taking of real estate as a site for any state building, or as additional grounds for any existing state building, or for any other state purpose, the state may take and hold, under its right of eminent domain, so much real estate as is necessary for the purpose for which the same is taken; and proceedings may be instituted in the name of the state of Iowa for the condemnation of such real estate under the provisions of chapter four (4) of title ten (X) of the code, which proceedings shall be conducted by some person appointed by the governor of the state.

SEC. 2. Damages—how paid. When the amount of damages is determined, the sheriff or clerk, as the case may be, shall certify the amount thereof to the executive council which shall, by an order endorsed upon the certificate, direct the payment of the same, and the auditor of state shall, upon receipt of such order, issue a warrant on the treasury for the amount, which warrant shall be paid out of any money appropriated by the general assembly for that purpose, or out of any money received from the sale of other property, the proceeds of which may have been authorized by law to be used for the purpose of the purchase of real estate for state use; and when the amount of such damages is paid to the sheriff, the clerk, or the person entitled thereto, the state, through its proper officer or agent, may enter upon the possession of the real estate taken, and use and occupy the same for state purposes.

SEC. 3. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Daily Capital and the Register and Leader, newspapers published at Des Moines, Iowa.

Approved April 13, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, April 15, 1904.

W. B. MARTIN,
Secretary of State.

CHAPTER 72.

CONDEMNATION OF REAL PROPERTY FOR COURT HOUSES AND JAILS.

H. F. 451.

AN ACT providing for the condemnation of real estate for erection of court houses and jails. [Additional to chapter four (4) of title ten (X) of the code, relating to the taking of private property.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Condemnation proceedings authorized. Whenever the interest of any county requires real estate for the erection of court houses